

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION

IMOGENE SUTTLE, et al.,

Plaintiffs,

v.

CITY OF GADSDEN,

Defendant.

CASE NO. CV 97-JEO-2034-M


FILED  
00 JUN 14 PM  
U.S. DISTRICT COURT  
N.D. OF ALABAMA  
pf  
ENTERED

JUN 14 2000

MEMORANDUM OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the Magistrate Judge as the findings and conclusions of the court. In accordance with the recommendation, all fictitious parties listed in the complaint are due to be struck, the defendant's Motion to Dismiss is due to be denied, the defendant's Motion to Dismiss Amended Complaint is due to be held moot, and the plaintiffs' Motion to Amend Complaint is due to be granted. An appropriate order will be entered.

DONE this 14<sup>th</sup> day of June, 2000.

  
EDWIN L. NELSON  
UNITED STATES DISTRICT JUDGE